

<b>FILED</b> CLERK, U.S. DISTRICT COURT	
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CENTRAL DISTRICT OF CALIFORNIA	
BY: _____	VAV DEPUTY

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

June 2022 Grand Jury

UNITED STATES OF AMERICA,

CR 2:23-cr-00014-RGK

Plaintiff,

I N D I C T M E N T

v.

[21 U.S.C. § 846: Conspiracy to Aid and Abet the Distribution of Controlled Substances; 18 U.S.C. § 1956(h): Conspiracy to Launder Monetary Instruments; 18 U.S.C. § 1956(a)(3)(B): Money Laundering; 18 U.S.C. § 371: Conspiracy; 18 U.S.C. §§ 1960(b)(1), (2), (3): Operating an Unlicensed Money Remitting Business; 18 U.S.C. § 1512(c)(2): Obstruction of an Official Proceeding; 18 U.S.C. § 1001(a)(1): Falsifying and Concealing Material Facts; 21 U.S.C. § 853, 18 U.S.C. § 982, 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c): Criminal Forfeiture]

Defendants.

INTRODUCTORY ALLEGATIONS

At times relevant to this Indictment:

A. Federal Reporting Requirements

1. Under relevant federal law, a "financial institution," as that term is defined in Title 31, United States Code,

1 Section 5312(a)(2)(R), included a business operating as an informal  
2 money transfer system to facilitate the transfer of money  
3 domestically or internationally outside of the conventional financial  
4 institutions system.

5 2. Under federal law, whenever a financial institution  
6 received over \$10,000 in currency in one transaction or two or more  
7 related transactions that occurred within one year, the financial  
8 institution was required to file a Currency Transaction Report  
9 ("CTR") no later than 15 days after the transaction over \$10,000. If  
10 the person who was depositing or withdrawing the currency did not  
11 want such a report to be filed, they might try to evade that filing  
12 by either making deposits under the \$10,000 reporting threshold or  
13 taking other steps such as purchasing cashier's checks with the  
14 currency under the belief that such purchases need not be reported.

15 3. Under federal law, 31 C.F.R. § 1010.100(ff)(5)(i) a "money  
16 transmitter" was a person that provided money transmission services  
17 by accepting currency, funds, or other items of value that substitute  
18 for currency from one person and transmitting that currency, funds or  
19 other items of value that substitute for currency to another location  
20 or person by any means, including through a financial institution, an  
21 electronic funds transfer network, or an informal value transfer  
22 system; or, any other person engaged in the transfer of funds. A  
23 "money transmitter" was required to be licensed by both federal and  
24 state law, and failure to register under either federal or state law  
25 was a federal offense under 18 U.S.C. § 1960.

26 B. Trade-Based Money Laundering

27 4. Trade-Based Money Laundering ("TBML") was a system of  
28 informal value transfer that exploited legitimate businesses and

1 trade systems to launder the proceeds of illegal activity. TBML in  
2 the drug trafficking context operated as follows:

3 a. Drug trafficking conducted within the United States  
4 generated large quantities of United States currency ("drug  
5 proceeds"), that had to be transferred in some manner to the true  
6 owners of that currency, that is, the individuals in other countries  
7 who were the sources of the illegal drugs.

8 b. Drug traffickers and others who committed illegal acts  
9 in the United States were aware that banks and other financial  
10 institutions were required to file Currency Transaction Reports  
11 ("CTRs") that included the name and identification of the beneficial  
12 owner or owners of those funds for any transaction in United States  
13 currency in excess of \$10,000 and frequently tried to evade these  
14 reporting requirements.

15 c. In addition, drug traffickers were alert to the high  
16 costs of using the conventional banking system, which could include  
17 exchange fees when exchanging dollars for pesos and/or wire transfer  
18 fees.

19 d. In order to evade the high costs of transfer and the  
20 government reporting that accompanied the deposit of large amounts of  
21 currency into the legitimate banking system, drug traffickers sought  
22 other methods of integrating the drug proceeds they accumulated in  
23 United States currency into the legitimate financial system so that  
24 it could be transferred to the true owners without detection.

25 e. Criminal actors such as drug traffickers typically  
26 employed brokers or "money consolidators" who each operated as an  
27 informal bank where drug traffickers could place their accumulated

1 drug proceeds, typically at lower exchange rates and for lesser fees  
2 than those at legitimate financial institutions.

3 f. Brokers and money consolidators sought out businesses  
4 and individuals in other countries who purchased merchandise in the  
5 United States and needed U.S. dollars to pay for that merchandise.

6 g. The dollars were sold in the black market for pesos  
7 and used to pay the open invoices of the businesses and individuals  
8 who had purchased goods in the United States.

9 h. When the purchased goods were shipped to the country  
10 of the purchaser and sold, the proceeds of those sales were then  
11 relinquished to the owner of the drug proceeds in the country where  
12 the drugs originated, that is, the drug trafficker whose product  
13 generated the United States currency, thus enabling the drug  
14 trafficker to avoid the physical transfer of currency across the  
15 border and the accompanying risks of seizure and robbery.

16 C. Bank Accounts Used to Deposit Drug Proceeds

17 5. "Layering" was the process of introducing funds earned from  
18 committing crimes into the legitimate financial system through a  
19 series of transactions intended to hide the true source of the funds.

20 6. "Integration" was the last step in concealing the true  
21 source of illegal funds by using those funds for legitimate purposes  
22 or transferring the funds elsewhere to further conceal their sources.

23 7. Defendants DANIEL SHAUN ZILKE, also known as ("aka") "The  
24 Englishman," JUAN RACHID DERGAL-ZULBARAN, aka "Jorge Frangie,"  
25 JEFFREY MARK THOMPSON, aka "The Cowboy," and GUSTAVO ADOLFO ALDANA-  
26 MARTINEZ, and others known and unknown to the Grand Jury, opened,  
27 maintained, and used the following bank accounts in the layering and  
28 integration of drug proceeds:

1 a. Defendant ZILKE held, maintained, and controlled bank  
2 accounts at:

3 i. Falcon Bank International, San Antonio, Texas,  
4 account number xxxxx2121 in the name of "Daniel Shaun ZILKE;"

5 ii. Wells Fargo Bank, account number xxxxxx7153 in  
6 the name of "Capital MG;" and

7 iii. Bank of America, account number xxxxxx1268 in the  
8 name of "Daniel Shaun ZILKE."

9 b. Defendant THOMPSON held, maintained, controlled, and  
10 was the sole owner of bank accounts at:

11 i. Wells Fargo Bank, Springtown, Texas, account  
12 number xxxxxx7024 in the name of "Peace Through Water Foundation;"  
13 and

14 ii. Pinnacle Bank, Springtown, Texas, account number  
15 xxxxxx2958 in the name of Rural Projects Investments, LLC.

16 c. Defendant ALDANA-MARTINEZ held, maintained,  
17 controlled, and was the sole owner of a bank account at Bank of  
18 America, Pico Rivera, California, account number xxxxx2325 in the  
19 name of "Gamar Electronics."

20 8. These Introductory Allegations are incorporated into each  
21 Count of this Indictment.

1 COUNT ONE

2 [21 U.S.C. § 846]

3 [DEFENDANTS ZILKE, DERGAL-ZULBARAN, AND THOMPSON]

4 A. OBJECT OF THE CONSPIRACY

5 1. Beginning in or about October 2015 and continuing until  
6 March 13, 2020, in Los Angeles County, within the Central District of  
7 California, and elsewhere, defendants DANIEL SHAUN ZILKE, aka "The  
8 Englishman," JUAN RACHID DERGAL-ZULBARAN, aka "Jorge Frangie," and  
9 JEFFREY MARK THOMPSON, aka "The Cowboy," and others known and unknown  
10 to the Grand Jury knowingly conspired and agreed with each other to  
11 commit an offense against the United States, namely, to aid and abet  
12 the distribution of controlled substances, in violation of Title 21,  
13 United States Code, Sections 846 and 841(a)(1), (b)(1)(A) and Title  
14 18, United States Code, Section 2(a).

15 B. MEANS BY WHICH THE OBJECT OF THE CONSPIRACY WAS TO BE  
16 ACCOMPLISHED

17 The object of the conspiracy was to be accomplished, in  
18 substance, as follows:

19 1. Means By Which Defendants Assisted Drug Traffickers to  
20 Conceal Their Drug Proceeds

21 a. Co-conspirators and others known and unknown to the  
22 Grand Jury who were members of drug trafficking organizations based  
23 mostly in Mexico and Colombia would import large quantities of  
24 cocaine, methamphetamine, heroin, and marijuana into the United  
25 States and distribute them through other co-conspirators to cities  
26 across the country where they would be sold in large and small  
27 quantities. The sales of these substances would yield large amounts  
28 of drug proceeds in United States currency. Concealment of the drug

1 proceeds from scrutiny by government or banking authorities was  
2 crucial to the drug traffickers' ability to profit from their drug  
3 importation and distribution scheme.

4                   b. Defendants ZILKE, THOMPSON, and DERGAL-ZULBARAN were  
5 members of a money laundering organization that served these drug  
6 trafficking organizations by assisting them in concealing the  
7 proceeds of their trade and making the proceeds generated in the  
8 United States accessible to them in Mexico and Colombia. Defendant  
9 THOMPSON and Gustavo Adolfo Aldana-Martinez, and others known and  
10 unknown to the Grand Jury, would establish and maintain businesses,  
11 charities, and other organizations and open bank accounts for the  
12 purpose of accepting the drug proceeds. The defendants would collect  
13 the drug proceeds and place them into the legitimate banking system  
14 in the United States to conceal the nature, source, location, and  
15 ownership of these proceeds as well as to conceal the illegal drug  
16 trafficking scheme itself, and to move the drug proceeds beyond the  
17 reach of law enforcement.

18                   c. Members of the drug trafficking organization would  
19 notify defendants ZILKE and DERGAL-ZULBARAN of the approximate amount  
20 of drug proceeds to be picked up and the location of the pick-up, and  
21 supply a telephone number and/or a code to defendant ZILKE or  
22 defendant DERGAL-ZULBARAN. In turn, defendant ZILKE or defendant  
23 DERGAL-ZULBARAN would either pick up the drug proceeds themselves or  
24 would employ a co-conspirator to pick up the drug proceeds at the  
25 time and place agreed upon and supply that person with the code  
26 and/or telephone number of the contact who was to deliver the drug  
27 proceeds. Defendants ZILKE and DERGAL-ZULBARAN would either deliver  
28 the drug proceeds in cash to defendant THOMPSON personally or would

1 arrange for the drug proceeds to be delivered to him, or wire  
2 transfer or assign others to wire transfer drug proceeds into the  
3 accounts established by defendant THOMPSON, Aldana-Martinez, and  
4 others.

5 d. After arranging delivery of the drug proceeds to co-  
6 conspirators, defendant ZILKE or defendant DERGAL-ZULBARAN would give  
7 the recipient of the drug proceeds instructions and identifying  
8 information for various bank accounts where the funds were to be  
9 deposited, including the bank accounts opened and maintained by  
10 defendants ZILKE and THOMPSON, Aldana-Martinez, and others known and  
11 unknown to the Grand Jury.

12 2. Means By Which Defendants Assisted Drug Distributors to  
13 Integrate the Drug Proceeds Into the Legitimate Banking  
System

14 e. Defendants ZILKE and DERGAL-ZULBARAN would arrange the  
15 movement of these drug proceeds in a manner intended to conceal the  
16 sources of the funds through various means including: (1) using the  
17 cash to purchase cashier's checks; and (2) depositing cash and/or  
18 cashier's checks into multiple bank accounts they held in the names  
19 of fictitious businesses and other organizations.

20 f. Defendants ZILKE and DERGAL-ZULBARAN would then  
21 integrate the funds into the legitimate financial system by  
22 depositing cash and/or cashier's checks in third-party bank accounts  
23 already owned by the drug trafficking organizations or delivering  
24 cash or wire-transferring funds to businesses to pay open invoices  
25 for goods sold to unknown third parties.

26 g. Defendant THOMPSON, Aldana-Martinez, and others known  
27 and unknown to the Grand Jury, would then arrange for the drug  
28 proceeds that they received to be deposited into the bank accounts

1 they had established for this purpose in a manner that would not  
2 arouse suspicion of its source. For example, defendant THOMPSON  
3 opened a bank account in the name of a charity he established known  
4 as Peace Through Water Foundation, based in Springtown, Texas, where  
5 he deposited drug proceeds that he would then wire transfer to bank  
6 accounts specified to him by the drug trafficking organizations that  
7 owned the drug proceeds. Similarly, Aldana-Martinez opened accounts  
8 in the name of a business called Gamar Electronics that he used for  
9 the same purpose, or to pay the open invoices of foreign-based  
10 customers who had purchased goods to be shipped and sold outside the  
11 United States.

12 h. The true owners of the drug proceeds, the drug  
13 trafficking organizations, would either access those accounts to  
14 collect the proceeds or give defendants ZILKE and THOMPSON, Aldana-  
15 Martinez, and others instructions to wire transfer the drug proceeds  
16 to other accounts controlled by the drug trafficking organizations.  
17 The degree of defendants' success in concealing the drug proceeds  
18 would determine the degree to which the defendants' customers for  
19 their money laundering services were able to continue to profit from  
20 distributing drugs unimpeded by government or financial authorities  
21 in the United States and elsewhere.

22 C. OVERT ACTS

23 On or about the following dates, in furtherance of the  
24 conspiracy and to accomplish its object, defendants ZILKE, DERGAL-  
25 ZULBARAN, and THOMPSON committed the following overt acts, among  
26 others, within the Central District of California and elsewhere:

27 1. On or about November 20, 2015, in Las Vegas, Nevada,  
28 defendant ZILKE met with an individual he believed to be a

1 sophisticated money launderer, but who was in reality a confidential  
2 source of information for law enforcement ("CS-1"), to arrange for  
3 CS-1 to pick up bulk United States currency that was the proceeds of  
4 drug trafficking and deposit it into the United States banking system  
5 in exchange for a percentage commission.

6 2. On or about November 20, 2015, in Las Vegas, Nevada,  
7 defendant ZILKE spoke with a law enforcement agent acting undercover,  
8 who defendant ZILKE believed to be the money laundering associate of  
9 CS-1 ("UC-1") and agreed to meet with UC-1 in person about the  
10 laundering of drug proceeds in exchange for a percentage commission.

11 3. On or about December 1, 2015, in Seattle, Washington,  
12 defendant ZILKE met with UC-1 and CS-1 and, in a recorded  
13 conversation, discussed hiring UC-1 and CS-1 to launder drug proceeds  
14 in exchange for a percentage commission.

15 4. In or about early January 2016, defendant ZILKE contacted  
16 CS-1 by telephone and, in a recorded call, using coded language,  
17 requested that CS-1 pick up a large quantity of drug proceeds in  
18 Chicago, Illinois, that later proved to be approximately \$248,760 in  
19 United States currency, and directed CS-1 to deposit it into bank  
20 accounts specified by defendant ZILKE as follows: (a) \$10,750 to the  
21 account of Daniel Shaun ZILKE at Falcon International Bank, Laredo,  
22 Texas; (b) \$109,900 to the account of F. Electronics USA at BB&T Bank  
23 in Tallahassee, Florida; and (c) \$119,450 to the account of D.  
24 Electronics at Amerasia Bank, New York, New York.

25 5. On or about January 22, 2016, defendant ZILKE contacted CS-  
26 1 by telephone and, in a recorded call using coded language,  
27 requested that CS-1 pick up a large quantity of drug proceeds in  
28 Chicago, Illinois, that later proved to be approximately \$348,252 in

1 United States currency, and deposit it into bank accounts later  
2 specified by defendant ZILKE as follows: (a) \$16,000 to the account  
3 of Daniel Shaun ZILKE at Falcon International Bank, San Antonio,  
4 Texas; (b) \$95,000 to the account of D. Electronics at Amerasia Bank,  
5 Miami, Florida; and (c) \$225,000 to the account of R. Energy, LLC at  
6 Regions Bank, Orlando, Florida.

7 6. On or about February 17, 2016, defendant ZILKE contacted  
8 CS-1 by telephone and, in a recorded call using coded language,  
9 requested that CS-1 pick up a large quantity of drug proceeds in  
10 Chicago, Illinois, that later proved to be approximately \$155,900 in  
11 United States currency, and deposit it into bank accounts later  
12 specified by defendant ZILKE as follows: (a) \$9,443 to the account of  
13 Daniel Shaun ZILKE at Falcon International Bank; and (b) \$141,000 to  
14 the account of D. Electronics at Amerasia Bank, Miami, Florida.

15 7. On or about March 15, 2016, defendant DERGAL-ZULBARAN  
16 contacted an individual who he believed to be a sophisticated money  
17 launderer but who was in reality an undercover law enforcement agent  
18 ("UC-2"), and, in a recorded call, and requested that UC-2 pick up  
19 \$120,000 in drug proceeds in Las Vegas, Nevada.

20 8. On or about April 1, 2016, defendant ZILKE contacted CS-1  
21 by telephone and, in a recorded call using coded language, requested  
22 that CS-1 pick up a large quantity of drug proceeds in Atlanta,  
23 Georgia, that later proved to be approximately \$63,000 in United  
24 States currency, and deposit it into bank accounts later specified by  
25 defendant ZILKE as follows: (a) \$12,667 to the account of Daniel  
26 Shaun ZILKE at Falcon International Bank, San Antonio, Texas; and (b)  
27 \$47,333 to the account of A.P.M.G. at Bank of America, Weston,  
28 Florida.

1       9. On or about May 5, 2016, defendant ZILKE contacted CS-1 by  
2 telephone and, in a recorded call using coded language, requested  
3 that CS-1 pick up a large quantity of drug proceeds in Tampa, Florida  
4 that later proved to be approximately \$150,100 in United States  
5 currency, and deposit it into bank accounts later specified by  
6 defendant ZILKE as follows: (a) \$4,750 to the account of Daniel Shaun  
7 ZILKE at Falcon International Bank, San Antonio, Texas; and (b)  
8 \$140,000 to the account of Gamar Electronics at Bank of America, Pico  
9 Rivera, California.

10      10. On or about May 9, 2016, defendant ZILKE contacted CS-1 by  
11 telephone and, in a recorded call using coded language, requested  
12 that CS-1 pick up a large quantity of drug proceeds in Atlanta,  
13 Georgia, that later proved to be approximately \$56,830 in United  
14 States currency, and deposit \$53,989 to the account of Gamar  
15 Electronics at Bank of America, Pico Rivera, California.

16      11. On or about May 19, 2016, defendant ZILKE contacted CS-1 by  
17 telephone and, in a recorded call using coded language, requested  
18 that CS-1 pick up a large quantity of drug proceeds in Birmingham,  
19 Alabama, that later proved to be approximately \$349,515 in United  
20 States currency, from a co-conspirator who was a distributor of large  
21 quantities of drugs, and deposit it into bank accounts later  
22 specified by defendant ZILKE as follows: (a) \$200,000 to the account  
23 of Law Offices of R.M. at Capital One Bank, McAllen, Texas; (b)  
24 \$122,531 to the account of Gamar Electronics at Bank of America, Pico  
25 Rivera, California; and (c) \$14,750 to the account of Daniel Shaun  
26 ZILKE at Falcon International Bank, Laredo, Texas.

27      12. On or about June 4, 2016, defendant ZILKE contacted CS-1 by  
28 telephone and, in a recorded call using coded language, requested

1 that CS-1 pick up a large quantity of drug proceeds in Birmingham,  
2 Alabama, that later proved to be approximately \$199,865 in United  
3 States currency, from a co-conspirator who was a distributor of large  
4 quantities of drugs, and deposit it into bank accounts later  
5 specified by defendant ZILKE as follows: (a) \$138,000 to the account  
6 of Peace Through Water at Wells Fargo Bank, Springtown, Texas; (b)  
7 \$46,000 to Gamar Electronics at Bank of America, Pico Rivera,  
8 California; and (c) \$8,869 to the account of Daniel Shaun ZILKE at  
9 Falcon International Bank, San Antonio, Texas.

10 13. On or about June 20, 2016, defendant ZILKE contacted UC-1  
11 by telephone and, in a recorded call using coded language, requested  
12 that UC-1 pick up a large quantity of drug proceeds in Tampa,  
13 Florida, that later proved to be approximately \$349,871 in United  
14 States currency, and transfer it into bank accounts later specified  
15 by defendant ZILKE as follows: (a) \$7,625 to the account of Daniel  
16 Shaun ZILKE at Falcon International Bank, Laredo, Texas; (b) \$130,000  
17 to the account of Peace Through Water at Wells Fargo Bank,  
18 Springtown, Texas; (c) \$50,000 to the account of the Law Office of  
19 R.M. at Capital One Bank, McAllen, Texas; and (d) \$150,000 to the  
20 account of Gamar Electronics at Bank of America, Pico Rivera,  
21 California.

22 14. On or about August 11, 2016, defendant ZILKE contacted UC-1  
23 by telephone and, in a recorded call using coded language, requested  
24 that UC-1 pick up a large quantity of drug proceeds in Tampa,  
25 Florida, that later proved to be approximately \$94,880 in United  
26 States currency, and transfer the funds to the account of Gamar  
27 Electronics at Bank of America, Pico Rivera, California.

1       15. On or about August 16, 2016, defendant DERGAL-ZULBARAN  
2 contacted UC-2 by telephone and, in a recorded call using coded  
3 language, requested that UC-2 arrange for the pickup of a large  
4 quantity of drug proceeds in Orlando, Florida, that later proved to  
5 be approximately \$500,150 in United States currency, and deposit the  
6 funds to bank accounts later specified by defendant DERGAL-ZULBARAN  
7 as follows: (a) \$252,500 to the account of Gamar Electronics at Bank  
8 of America, Pico Rivera, California; (b) \$27,000 to the account of  
9 J.R. at American Express Bank; (c) \$10,000 to the account of B.M. at  
10 Bank of America, Billerica, Massachusetts; (d) \$142,395 to Gamar  
11 Electronics at Bank of the West, Pico Rivera, California; (d) \$99,000  
12 to the account of Gamar Electronics at East West Bank, Pico Rivera,  
13 California; (e) \$16,500 to the account of the Law Office of R.M. at  
14 Capital One Bank; and (f) \$10,500 to the account of Peace Through  
15 Water Foundation at Wells Fargo Bank, Springtown, Texas.

16       16. On or about August 24, 2016, defendant DERGAL-ZULBARAN  
17 contacted UC-2 by telephone and, in a recorded call using coded  
18 language, requested that UC-2 arrange for the pickup of a large  
19 quantity of drug proceeds in Chicago, Illinois, that later proved to  
20 be approximately \$149,990 in United States currency, and transfer the  
21 funds to bank accounts later specified by defendant DERGAL-ZULBARAN  
22 as follows: (a) \$100,500 to the account of Peace Through Water  
23 Foundation at Wells Fargo, Springtown, Texas; and (b) \$44,240 to the  
24 account of Gamar Electronics at Bank of America, Pico Rivera,  
25 California.

26       17. On or about August 24, 2016, defendant DERGAL-ZULBARAN  
27 contacted UC-2 by telephone, and, in a recorded call using coded  
28 language, requested that UC-2 arrange for the pickup of a large

1 quantity of drug proceeds in Chicago, Illinois, that is,  
2 approximately \$300,000 in United States currency.

3 18. On or about August 31, 2016, defendant DERGAL-ZULBARAN  
4 contacted UC-2 by telephone and, in a recorded call using coded  
5 language, requested that UC-2 arrange for the pickup of a large  
6 quantity of drug proceeds in Chicago, Illinois, that later proved to  
7 be approximately \$63,000 in United States currency, and deposit the  
8 funds to bank accounts later specified by defendant DERGAL-ZULBARAN  
9 as follows: (a) \$22,500 to the account of N. Corp. at Bank of  
10 America/Merrill Lynch; (b) \$4,500 to the account of N. Nautikos Corp.  
11 at Bank of America/Merrill Lynch; and (c) \$33,795 to the account of  
12 Gamar Electronics at Bank of America, Pico Rivera, California.

13 19. On or about September 1, 2016, defendant DERGAL-ZULBARAN  
14 contacted UC-1 and, in a recorded telephone call, identified himself  
15 as "Juan," a friend of defendant ZILKE, and requested that UC-1 pick  
16 up a large quantity of drug proceeds in Palmetto, Florida, with the  
17 amount and the transfer instructions to be provided later.

18 20. On or about September 7, 2016, in a series of emails,  
19 defendant DERGAL-ZULBARAN contacted UC-1 via UC-1's undercover email  
20 account, again introduced himself as a friend of defendant ZILKE, and  
21 requested that UC-1 pick up a large quantity of drug proceeds in  
22 Columbus, Ohio, that is, approximately \$300,000, with transfer  
23 instructions to be provided later.

24 21. On or about September 19, 2016, defendant DERGAL-ZULBARAN  
25 contacted UC-2 by telephone and, in a recorded call using coded  
26 language, requested that UC-2 arrange for the pickup of a large  
27 quantity of drug proceeds in Atlanta, Georgia, that later proved to  
28 be approximately \$139,980 in United States currency, and later

1 instructed UC-2 to deposit \$134,581 to the account of Gamar  
2 Electronics at Bank of America, Pico Rivera, California.

3 22. On or about September 20, 2016, defendant DERRAL-ZULBARAN  
4 contacted UC-2 by telephone and, in a recorded call using coded  
5 language, requested that UC-2 arrange for the pickup of a large  
6 quantity of drug proceeds in Houston, Texas, that later proved to be  
7 approximately \$100,000 in United States currency, and later  
8 instructed UC-2 to deposit \$96,500 in the account of Gamar  
9 Electronics at Bank of America, Pico Rivera, California.

10 23. On or about September 28, 2016, defendant DERRAL-ZULBARAN  
11 contacted UC-1 by telephone and, in a recorded call using coded  
12 language, stated that he had sent UC-1 an email requesting a money  
13 pickup in Atlanta of a large quantity of drug proceeds, that is,  
14 approximately \$300,000 in United States currency, in Atlanta,  
15 Georgia, and that he would need the funds returned to him within two  
16 to three days.

17 24. On or about October 3, 2016, defendant DERRAL-ZULBARAN  
18 contacted UC-2 by telephone and, in a recorded call using coded  
19 language, requested that UC-2 arrange for the pickup of a large  
20 quantity of drug proceeds in Houston, Texas, that later proved to be  
21 approximately \$100,000 in United States currency, and later  
22 instructed UC-2 to deposit \$96,500 in the account of Gamar  
23 Electronics at Bank of America, Pico Rivera, California.

24 25. On or about October 5, 2016, defendant DERRAL-ZULBARAN  
25 contacted UC-2 by telephone and, in a recorded call using coded  
26 language, requested that UC-2 arrange for the pickup of a large  
27 quantity of drug proceeds in New York, New York, that later proved to  
28 be approximately \$105,000 in United States currency, to be picked up

1 in Fort Lee, New Jersey, and deposit the funds to bank accounts later  
2 specified by defendant DERGAL-ZULBARAN as follows: (a) \$91,900 to the  
3 account of Gamar Electronics at Bank of America, Pico Rivera,  
4 California; (b) \$5,000 to the account of J.A.G-P. at Wells Fargo  
5 Bank; and (c) \$4,401 to the account of B.M. at Bank of America,  
6 Billerica, Massachusetts.

7 26. On or about December 14, 2016, defendant DERGAL-ZULBARAN  
8 contacted an undercover law enforcement agent acting as a close  
9 associate of UC-2 ("UC-3"), by telephone and, in a recorded call  
10 using coded language, requested that UC-3 arrange for the pickup of a  
11 large quantity of drug proceeds in New York, New York, that later  
12 proved to be approximately \$49,900 in United States currency and  
13 later instructed UC-3 to deposit \$48,153.50 to the account of Gamar  
14 Electronics at Bank of America, Pico Rivera, California.

15 27. On or about January 4, 2017, defendant DERGAL-ZULBARAN  
16 contacted UC-3 by telephone and, in a recorded call using coded  
17 language, requested that UC-3 arrange for the pickup of a large  
18 quantity of drug proceeds in New York, New York, that later proved to  
19 be approximately \$100,000 in United States currency, from a co-  
20 conspirator who sold cocaine and heroin, and later instructed UC-3 to  
21 deposit \$96,500 to the account of Gamar Electronics at Bank of  
22 America, Pico Rivera, California.

23 28. On or about January 9, 2017, defendant DERGAL-ZULBARAN  
24 contacted UC-3, by telephone and, in a recorded call using coded  
25 language, requested that UC-3 arrange for the pickup of a large  
26 amount of drug proceeds in Houston, Texas, that later proved to be  
27 approximately \$100,015 in United States currency and deposit the  
28 funds to bank accounts later specified by defendant DERGAL-ZULBARAN

1 as follows: (a) \$50,000 to the account of E.Z.L. at Wells Fargo Bank;  
2 and (b) \$46,514.48 to the account of Gamar Electronics at Bank of  
3 America, Pico Rivera, California.

4 29. On or about January 12, 2017, defendant DERGAL-ZULBARAN  
5 contacted UC-3 by telephone and, in a recorded call using coded  
6 language, requested that UC-3 arrange for the pickup of a large  
7 quantity of drug proceeds in Atlanta, Georgia, that later proved to  
8 be approximately \$300,040 in United States currency, and deposit the  
9 funds to two separate bank accounts later specified by defendant  
10 DERGAL-ZULBARAN as follows: (a) \$189,000 to the account of Gamar  
11 Electronics at Bank of America, Pico Rivera, California; and (b)  
12 \$97,500 to the account of Gamar Electronics at Bank of America, Pico  
13 Rivera, California.

14 30. On or about January 23, 2017, upon being notified that the  
15 Gamar Electronics account to which the wire transfer of \$97,500 had  
16 been directed on January 12, 2017 was closed, defendant DERGAL-  
17 ZULBARAN instructed UC-3 by email to deposit the \$97,500 to the same  
18 Gamar Electronics Bank of America account in Pico Rivera, California  
19 where UC-3 had sent the \$189,000.

20 31. On or about February 2, 2017, defendant DERGAL-ZULBARAN  
21 contacted UC-3 by telephone and, in a recorded call using coded  
22 language, requested that UC-3 arrange for the pickup of a large  
23 quantity of drug proceeds in New York, New York, that later proved to  
24 be approximately \$100,000 in United States currency, from a co-  
25 conspirator who sold cocaine and heroin, and deposit the funds to  
26 bank accounts later specified by defendant DERGAL-ZULBARAN as  
27 follows: (a) \$28,700 to the account of Peace Through Water Foundation  
28 at Wells Fargo Bank, Springtown, Texas; (b) \$1,000 to the account of

1 B.M. at Bank of America, Billerica, Massachusetts; and (c) \$66,800 to  
2 the account of Gamar Electronics at Bank of America, Pico Rivera,  
3 California.

4 32. On or about February 16, 2017, during a recorded telephone  
5 call using coded language, defendant DERGAL-ZULBARAN agreed to  
6 launder \$105,000 that was represented to him by UC-3 to be drug  
7 proceeds, and instructed UC-3 to deposit the funds to defendant  
8 THOMPSON's Peace Through Water Foundation account at Wells Fargo  
9 Bank, Springtown, Texas.

10 33. In or about October 2017, defendant ZILKE established a  
11 bank account in the name of Daniel Shaun ZILKE and the account  
12 address as defendant THOMPSON's home address in Springtown, Texas, at  
13 Bank of America, with account number xxxxxx1268, by depositing  
14 \$72,570 in United States currency and cashier's checks that were the  
15 proceeds of drug trafficking, for the purpose of laundering drug  
16 proceeds on behalf of his drug trafficker customers.

17 34. On or about August 28, 2018, defendant ZILKE deposited a  
18 cashier's check for \$99,995 in drug proceeds from C. Trade, Miami,  
19 Florida into account number xxxxxx1268 at Bank of America in the name  
20 of Daniel Shaun ZILKE.

21 35. On or about August 29, 2018, defendant ZILKE wire  
22 transferred \$39,650 in drug proceeds from Bank of America account  
23 number xxxxxx1268 to the account of G. Corp.

24 36. On or about August 29, 2018, defendant ZILKE remitted a  
25 cashier's check from Bank of America account number xxxxxx1268 in the  
26 amount of \$15,000 in drug proceeds to R.H.D.

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1       37. On or about August 29, 2018, defendant ZILKE wire  
2 transferred \$15,200 in drug proceeds from Bank of America account  
3 number xxxxx1268 to the account of I. and E. TE.

4       38. On or about August 30, 2018, defendant ZILKE wire  
5 transferred \$45,000 in drug proceeds from Bank of America account  
6 number xxxxx1268 to the account of S.I.P.

7       39. On or about September 18, 2018, defendant ZILKE deposited  
8 drug proceeds in the amount of \$54,400 in United States currency to  
9 Bank of America account number xxxxx1268.

10       40. On or about September 18, 2018, defendant ZILKE wire  
11 transferred \$53,659 in drug proceeds from Bank of America account  
12 number xxxxx1268 to an account in the name of C. Trade Miami.

13       41. On or about September 19, 2018, defendant ZILKE deposited  
14 drug proceeds in the amount of \$35,635 in United States currency to  
15 Bank of America account number xxxxx1268.

16       42. On or about September 20, 2018, defendant ZILKE wire  
17 transferred \$33,795 in drug proceeds from Bank of America account  
18 number xxxxx1268 to an account in the name of C. Trade Miami.

19       43. On or about September 20, 2018, defendant ZILKE deposited a  
20 cashier's check in the amount of \$26,000 in drug proceeds to Bank of  
21 America account number xxxxx1268.

22       44. On or about September 21, 2018, defendant ZILKE wire  
23 transferred \$26,500 in drug proceeds to an account in the name of C.  
24 Trade Miami.

25       45. On or about September 27, 2018, defendant ZILKE deposited  
26 drug proceeds in the amount of \$50,000 in United States currency to  
27 Bank of America account number xxxxx1268.

1       46. On or about September 28, 2018, defendant ZILKE deposited  
2 drug proceeds in the amount of \$71,791 in United States currency to  
3 Bank of America account number xxxxx1268.

4       47. On or about September 28, 2018, defendant ZILKE wire  
5 transferred \$30,000 in drug proceeds from Bank of America account  
6 number xxxxx1268 to an account in the name of E.S. Corp.

7       48. On or about September 28, 2018, defendant ZILKE wire  
8 transferred \$33,350 in drug proceeds from Bank of America account  
9 number xxxxx1268 to an account in the name of B.A., LLC.

10      49. On or about September 28, 2018, defendant ZILKE wire  
11 transferred \$41,650 in drug proceeds from Bank of America account  
12 number xxxxx1268 to an account in the name of B.A., LLC.

13      50. On or about October 3, 2018, defendant ZILKE deposited drug  
14 proceeds in the amount \$19,920 in United States currency to Bank of  
15 America account number xxxxx1268.

16      51. On or about October 3, 2018, defendant ZILKE wire  
17 transferred \$43,000 in drug proceeds from Bank of America account  
18 number xxxxx1269 to an account in the name of E.S. Corp.

19      52. On or about October 8, 2018, defendant ZILKE deposited drug  
20 proceeds in the amount of \$102,040 in United States currency to Bank  
21 of America account number xxxxx1268.

22      53. On or about October 10, 2018, defendant ZILKE withdrew  
23 \$102,040 in drug proceeds in United States currency from Bank of  
24 America account number xxxxx1268.

25      54. On or about October 11, 2018, defendant ZILKE deposited  
26 drug proceeds in the amount of \$48,010 in United States currency to  
27 Bank of America account number xxxxx1268.

1       55. On or about October 11, 2018, defendant ZILKE withdrew drug  
2 proceeds in the amount of \$48,000 in United States currency from Bank  
3 of America account number xxxxx1268.

4       56. On or about October 11, 2018, defendant ZILKE deposited a  
5 cashier's check in the amount of \$65,000 in drug proceeds to Bank of  
6 America account number xxxxx1268.

7       57. On or about October 15, 2018, defendant ZILKE wire  
8 transferred \$48,000 in drug proceeds from Bank of America account  
9 number xxxxx1268 to an account in the name of C. Holdings Florida.

10       58. On or about October 16, 2018, defendant ZILKE wire  
11 transferred \$11,000 in drug proceeds from Bank of America account  
12 number xxxxx1268 to an account in the name of M.C.H.

13       59. On or about July 24, 2019, defendant DERGAL-ZULBARAN,  
14 during a recorded telephone call, requested that defendant ZILKE, who  
15 was then cooperating with and acting at the direction of law  
16 enforcement agents, pick up approximately \$99,929 in drug proceeds in  
17 Homewood, Illinois, and deposit \$97,000 into the account of O.G., LP  
18 at Bank of America, Doral, Florida.

19       60. On or about August 16, 2019, defendant DERGAL-ZULBARAN, in  
20 a recorded call, requested that defendant ZILKE, who was acting at  
21 the direction of law enforcement agents, pick up approximately  
22 \$40,000 in drug proceeds in Commerce, California, and deposit \$38,000  
23 to the account of O.G., LP at Bank of America, Doral, Florida.

24       61. On or about December 17, 2019, defendant THOMPSON agreed to  
25 accept \$200,000 in United States currency that defendant ZILKE  
26 delivered to defendant THOMPSON and represented to be drug proceeds  
27 at the direction of law enforcement agents, and to wire transfer the  
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1 funds into an undercover bank account specified by defendant ZILKE at  
2 the direction of law enforcement agents.

3 62. On or about December 21, 2019, defendant THOMPSON, speaking  
4 by telephone in a recorded call with defendant ZILKE, who was acting  
5 at the direction of law enforcement agents, stated that he would be  
6 able to finish laundering the \$200,000 soon.

7 63. On or about February 11, 2020, defendant THOMPSON wire  
8 transferred \$18,500 in official government funds that had been  
9 represented to him by defendant ZILKE acting at the direction of law  
10 enforcement to be the proceeds of drug trafficking, to an undercover  
11 bank account in Los Angeles, California.

12 64. On or about March 3, 2020, defendant THOMPSON wire  
13 transferred \$6,500 in funds that had been represented to him by  
14 defendant ZILKE acting at the direction of law enforcement to be the  
15 proceeds of drug trafficking, to an undercover bank account in Los  
16 Angeles, California.

17 65. On or about March 12, 2020, defendant THOMPSON wire  
18 transferred \$15,000 in funds that had been represented to him by  
19 defendant ZILKE acting at the direction of law enforcement to be the  
20 proceeds of drug trafficking, to an undercover bank account in Los  
21 Angeles, California.

22 66. On or about March 13, 2020, defendant THOMPSON wire  
23 transferred \$10,000 in funds that had been represented to him by  
24 defendant ZILKE acting at the direction of law enforcement to be the  
25 proceeds of drug trafficking, to an undercover bank account in Los  
26 Angeles, California.

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1 COUNT TWO

2 [18 U.S.C. § 1956(h) ]

3 [ALL DEFENDANTS]

4 A. OBJECT OF THE CONSPIRACY

5 Beginning in or about October 2015 and continuing through March  
6 2020, in Los Angeles County, within the Central District of  
7 California and elsewhere, defendants DANIEL SHAUN ZILKE, aka "The  
8 Englishman," JUAN RACHID DERGAL-ZULBARAN, aka "Jorge Frangie,"  
9 JEFFREY MARK THOMPSON, aka "The Cowboy," and GUSTAVO ADOLFO ALDANA-  
10 MARTINEZ, and others known and unknown to the Grand Jury, conspired  
11 and agreed with each other to commit an offense against the United  
12 States, namely:

13 To conduct and attempt to conduct a financial transaction  
14 affecting interstate and foreign commerce, which transaction involved  
15 the proceeds of a specified unlawful activity, that is, the felony  
16 importation, receiving, concealment, buying, selling, and otherwise  
17 dealing in controlled substances punishable under the laws of the  
18 United States, knowing that the transaction was designed in whole or  
19 in part to conceal and disguise the nature, location, source,  
20 ownership, and control of the proceeds of said specified unlawful  
21 activity, and knowing that the property involved in the financial  
22 transaction represented the proceeds of some form of unlawful  
23 activity, in violation of Title 18, United States Code,  
24 Section 1956(a)(1)(B)(i).

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1 B. MEANS BY WHICH THE OBJECT OF THE CONSPIRACY WAS TO BE  
2 ACCOMPLISHED

3 The object of the conspiracy was to be accomplished, in  
4 substance, by the Means alleged in Count One, Section B of this  
5 Indictment which are re-alleged and incorporated by reference herein.

6 C. OVERT ACTS

7 On or about the following dates, in furtherance of the  
8 conspiracy and to accomplish its object, defendants ZILKE, DERGAL-  
9 ZULBARAN, THOMPSON, and ALDANA-MARTINEZ committed the following overt  
10 acts, among others, within the Central District of California and  
11 elsewhere:

12 The Overt Acts 1 through 66 alleged in Count One, Section C of  
13 this Indictment are re-alleged and incorporated by reference herein.

14 67. On or about August 22, 2016, defendant ALDANA-MARTINEZ  
15 accepted a wire transfer of drug proceeds from an unknown sender that  
16 was in reality a DEA undercover bank account set up for the purpose  
17 of collecting and dispersing drug proceeds as directed by drug  
18 traffickers during undercover operations, in the amount of \$252,500  
19 to his Gamar Electronics account at Bank of America, Pico Rivera,  
20 California, within the Central District of California.

21 68. On or about August 29, 2016, defendant ALDANA-MARTINEZ  
22 accepted a wire transfer of drug proceeds from an unknown sender that  
23 was in reality a DEA undercover bank account set up for the purpose  
24 of collecting and dispersing drug proceeds as directed by drug  
25 traffickers during undercover operations, in the amount of \$44,240 to  
26 his Gamar Electronics account at Bank of America, Pico Rivera,  
27 California, within the Central District of California.

1       69. On or about August 30, 2016, defendant ALDANA-MARTINEZ sent  
2 a wire transfer of drug proceeds in the amount of \$6,350 to the  
3 account of an unrelated company, G. Technology Inc., in partial  
4 payment for an order of electronics in the name of a second unrelated  
5 company, A. Enterprise Inc.

6       70. On or about August 30, 2016, defendant ALDANA-MARTINEZ sent  
7 a wire transfer of drug proceeds in the amount of \$10,300 to the  
8 account of an unrelated company, N. Supplies Inc, in partial payment  
9 for an order in the name of a second unrelated company, A. Enterprise  
10 Inc.

11       71. On or about August 31, 2016, defendant ALDANA-MARTINEZ sent  
12 a wire transfer of drug proceeds in the amount of \$30,750 to the  
13 account of an unrelated company, M. Distributing, in partial payment  
14 for an order in the name of a company called Z.F.D.

15       72. On or about August 31, 2016, defendant ALDANA-MARTINEZ sent  
16 a wire transfer of drug proceeds in the amount of \$81,987 to the  
17 account of an unrelated company, C. Trade LLC, which wire funded a  
18 wire transfer of drug proceeds in the amount of \$27,930 to the  
19 account of a second unrelated company, M.M. Export, in partial  
20 payment for an order of cellphones by C. Trade LLC.

21       73. On or about August 31, 2016, defendant ALDANA-MARTINEZ wire  
22 transferred drug proceeds in the amount of \$82,345 to the account of  
23 an unrelated company, M. Supply LLC, which wire funded (a) a wire  
24 transfer of drug proceeds in the amount of \$32,423.50 to a second  
25 unrelated company, U.S.T. LLC in partial payment for an order of  
26 electronics by M. Supply LLC.; (b) a wire transfer of drug proceeds  
27 in the amount of \$5,500 to a third unrelated company, B.P.  
28 International in partial payment for an order of external hard drives

1 purchased by M. Supply LLC; and (c) a wire transfer of drug proceeds  
2 in the amount of \$14,185.84 to a fourth unrelated company, C. Sales  
3 LLC in partial payment for an order of personal care electronics by  
4 M. Supply LLC on behalf of C. Trade LLC.

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1 COUNT THREE

2 [18 U.S.C. § 1956(a)(3)(B)]

3 [DEFENDANT THOMPSON]

4 On or about February 11, 2020, in Los Angeles County, within the  
5 Central District of California, and elsewhere, defendant JEFFREY MARK  
6 THOMPSON, aka "The Cowboy," knowingly conducted a financial  
7 transaction involving property that had been represented to him by a  
8 confidential informant acting at the direction of federal law  
9 enforcement agents authorized to investigate violations of Title 18,  
10 United States Code, Section 1956, to be the proceeds of a specified  
11 unlawful activity, namely, drug trafficking, specifically, a wire  
12 transfer of \$18,500 from his Pinnacle bank account xxxxxxx2958 in the  
13 name of Rural Projects Investments, LLC to an undercover bank account  
14 in Los Angeles, California, with the intent to conceal and disguise  
15 the nature, location, source, ownership, and control of the property.

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1 COUNT FOUR

2 [18 U.S.C. § 1956(a)(3)(B)]

3 [DEFENDANT THOMPSON]

4 On or about March 3, 2020, in Los Angeles County, within the  
5 Central District of California, and elsewhere, defendant JEFFREY MARK  
6 THOMPSON, aka "The Cowboy," knowingly conducted a financial  
7 transaction involving property that had been represented to him by a  
8 confidential informant acting at the direction of federal law  
9 enforcement agents authorized to investigate violations of Title 18,  
10 United States Code, Section 1956, to be the proceeds of a specified  
11 unlawful activity, namely, drug trafficking, specifically, a wire  
12 transfer of \$6,500 from his Pinnacle bank account xxxxxxx2958 in the  
13 name of Rural Projects Investments, LLC to an undercover bank account  
14 in Los Angeles, California, with the intent to conceal and disguise  
15 the nature, location, source, ownership, and control of the property.

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1 COUNT FIVE

2 [18 U.S.C. § 1956(a)(3)(B)]

3 [DEFENDANT THOMPSON]

4 On or about March 12, 2020, in Los Angeles County, within the  
5 Central District of California, and elsewhere, defendant JEFFREY MARK  
6 THOMPSON, aka "The Cowboy," knowingly conducted a financial  
7 transaction involving property that had been represented to him by a  
8 confidential informant acting at the direction of federal law  
9 enforcement agents authorized to investigate violations of Title 18,  
10 United States Code, Section 1956, to be the proceeds of a specified  
11 unlawful activity, namely, drug trafficking, specifically, a wire  
12 transfer of \$15,000 from his Pinnacle bank account xxxxxxx2958 in the  
13 name of Rural Projects Investments, LLC to an undercover bank account  
14 in Los Angeles, California, with the intent to conceal and disguise  
15 the nature, location, source, ownership, and control of the property.

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1 COUNT SIX

2 [18 U.S.C. § 1956(a)(3)(B)]

3 [DEFENDANT THOMPSON]

4 On or about March 13, 2020, in Los Angeles County, within the  
5 Central District of California, and elsewhere, defendant JEFFREY MARK  
6 THOMPSON, aka "The Cowboy," knowingly conducted a financial  
7 transaction involving property that had been represented to him by a  
8 confidential informant acting at the direction of federal law  
9 enforcement agents authorized to investigate violations of Title 18,  
10 United States Code, Section 1956, to be the proceeds of a specified  
11 unlawful activity, namely, drug trafficking, specifically, a wire  
12 transfer of \$10,000 from his Pinnacle bank account xxxxxxx2958 in the  
13 name of Rural Projects Investments, LLC to an undercover bank account  
14 in Los Angeles, California, with the intent to conceal and disguise  
15 the nature, location, source, ownership, and control of the property.

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1 COUNT SEVEN

2 [18 U.S.C. § 371]

3 [ALL DEFENDANTS]

4 A. OBJECT OF THE CONSPIRACY

5 1. Beginning on a date unknown, but no later than October  
6 2015, and continuing to in or about March 2020, in Los Angeles  
7 County, within the Central District of California, and elsewhere,  
8 defendants DANIEL SHAUN ZILKE, also known as ("aka") "The  
9 Englishman," JUAN RACHID DERGAL-ZULBARAN, aka "Jorge Frangie,"  
10 JEFFREY MARK THOMPSON, aka "The Cowboy," and GUSTAVO ADOLFO ALDANA-  
11 MARTINEZ, and others known and unknown to the Grand Jury, conspired  
12 and agreed with each other to knowingly and intentionally operate an  
13 unlicensed money transmitting business affecting interstate and  
14 foreign commerce, in violation of Title 18, United States Code,  
15 Sections 1960(a) and 1960(b)(1)(A), (B), and (C).

16 B. MEANS BY WHICH THE OBJECT OF THE CONSPIRACY WAS TO BE  
17 ACCOMPLISHED

18 2. The object of the conspiracy was to be accomplished, in  
19 substance, as follows:

20 a. Defendants ZILKE, DERGAL-ZULBARAN, THOMPSON, and  
21 ALDANA-MARTINEZ would accept contracts from the owners of drug  
22 proceeds in the form of United States currency to integrate that  
23 currency into the legitimate banking system in exchange for a  
24 commission-based fee that was a percentage of the amount transferred.  
25 To facilitate the process of entering the drug proceeds into the  
26 legitimate banking system, defendants ZILKE, DERGAL-ZULBARAN,  
27 THOMPSON, and ALDANA-MARTINEZ would open and maintain bank accounts

1 either in their own names, the names of relatives, of third parties,  
2 or of businesses or other entities they controlled.

3                   b. Defendants ZILKE and DERGAL-ZULBARAN would arrange to  
4 personally pick up or for a courier to pick up the drug proceeds in  
5 various cities around the United States where there were  
6 accumulations of drug proceeds in United States currency, including  
7 Chicago, New York, Atlanta, Columbus, Miami, and elsewhere.

8                   c. Defendants ZILKE and DERGAL-ZULBARAN would then  
9 deposit the drug proceeds into the bank accounts they held for this  
10 purpose or contract with other money brokers to pick up and deposit  
11 the drug proceeds into bank accounts.

12                   d. Defendants ZILKE and DERGAL-ZULBARAN would then wire  
13 transfer the drug proceeds to accounts held by defendants THOMPSON  
14 and ALDANA-MARTINEZ, and others known and unknown to the Grand Jury,  
15 for further transfer to accounts controlled by the drug trafficking  
16 organizations that owned the funds.

17                   e. Defendants ZILKE, DERGAL-ZULBARAN, THOMPSON, and  
18 ALDANA-MARTINEZ would use multiple bank accounts and divide up the  
19 funds being deposited so that the amounts would not appear to be  
20 unusually large.

21                   f. Defendants ZILKE, DERGAL-ZULBARAN, and THOMPSON, and  
22 others known and unknown to the Grand Jury would purchase cashier's  
23 checks with the illegal proceeds and deposit those cashier's checks  
24 in various third-party accounts.

25                   g. Defendants ZILKE, DERGAL-ZULBARAN, THOMPSON, and  
26 ALDANA-MARTINEZ would then wire transfer the funds to accounts of  
27 businesses that held open invoices of customers located in Mexico,  
28 Colombia, and elsewhere, to pay for goods that were then shipped to

1 those foreign businesses and sold, with the proceeds of the sales of  
 2 goods to be returned to the owners of the illegal funds that is, the  
 3 drug traffickers who had sold the initial product.

4 C. OVERT ACTS

5 3. In furtherance of the conspiracy, and to accomplish the  
 6 object of the conspiracy, on or about the following dates, defendants  
 7 ZILKE, DERGAL-ZULBARAN, THOMPSON, and ALDANA-MARTINEZ, and others  
 8 known and unknown to the Grand Jury, committed various overt acts  
 9 within the Central District of California, and elsewhere, including,  
 10 but not limited to the Overt Acts 1 through 66 set out in Count One  
 11 Section C, of this Indictment, which are incorporated by reference,  
 12 as well as the following:

13 On or about the following dates, defendant ZILKE deposited or  
 14 instructed co-conspirators and others known and unknown to the Grand  
 15 Jury to deposit large sums of United States currency that were the  
 16 proceeds of drug trafficking into defendant ZILKE's Capital MG  
 17 account at Wells Fargo Bank:

Overt Act	Date	Amount	Cash or Check
67.	12/19/17	\$78,726	Cash
68.	12/19/17	\$343,620	Cash
69.	1/3/18	\$330,100	Cash
70.	1/19/18	\$47,696	Cash
71.	1/19/18	\$202,484	Cashier's check
72.	1/22/18	\$52,617	Cashier's check

27 On or about the following dates, defendant ZILKE wire  
 28 transferred the above-listed funds to merchant accounts unrelated to

1 his business as directed by the drug traffickers or by others unknown  
 2 acting on their behalf as follows:

<b>Overt Act</b>	<b>Date</b>	<b>Amount</b>
73.	12/19/17	\$40,000
74.	12/19/17	\$13,125
75.	12/19/17	\$14,059
76.	12/19/17	\$3,650
77.	12/19/17	\$92,812.06
78.	1/16/18	\$44,325
79.	1/16/18	\$50,000
80.	1/19/18	\$26,311
81.	1/19/18	\$28,211
82.	1/19/18	\$12,125
83.	1/19/18	\$22,864
84.	1/22/18	\$80,000
85.	1/24/18	\$50,000

18 On or about the following dates, defendant ZILKE deposited the  
 19 following amounts of United States currency that were the proceeds of  
 20 drug trafficking into the ZILKE Bank of America account ending in  
 21 1268:

<b>Overt Act</b>	<b>Date</b>	<b>Amount</b>	<b>Cash or Check</b>
86.	9/10/18	\$5,000	Cash
87.	9/18/18	\$54,400	Cash
88.	9/19/18	\$35,635	Cash
89.	9/20/18	\$26,000	Cashier's check from ZILKE B of A account

<b>Overt Act</b>	<b>Date</b>	<b>Amount</b>	<b>Cash or Check</b>
90.	9/27/18	\$50,000	Cash
91.	9/28/18	\$71,791	Cash
92.	9/28/18	\$9,650	Cashier's check
93.	10/3/18	\$19,920	Cash
94.	10/8/18	\$102,040	Cash
95.	10/11/18	\$48,010	Cash
96.	10/11/18	\$65,000	Cashier's check

On or about the following dates, defendant ZILKE wire transferred the following amounts of drug proceeds to merchant accounts unrelated to his business at the direction of the drug traffickers or others acting on their behalf:

<b>Overt Act</b>	<b>Date</b>	<b>Amount</b>
97.	9/18/18	\$53,659
98.	9/20/18	\$33,795
99.	9/21/18	\$26,500
100.	9/28/18	\$30,000
101.	9/28/18	\$41,650
102.	9/28/18	\$33,350
103.	9/28/18	\$30,000
104.	10/3/18	\$43,000
105.	10/10/18	\$102,040
106.	10/11/18	\$48,000
107.	10/15/18	\$48,000

<b>Overt Act</b>	<b>Date</b>	<b>Amount</b>
108.	10/16/18	\$11,000

On or about the following dates, defendant ZILKE made the following cash deposits and, in some instances, accompanying purchases of cashier's checks with drug proceeds using his Bank of America account ending in 1268:

<b>Overt Act</b>	<b>Date</b>	<b>Cash Deposit Amount</b>	<b>Cashier's Check Amount</b>
109.	10/11/17	65,000	
110.	11/9/17	\$84,611	\$35,034
111.	8/23/18	\$6,000	\$34,000
112.	8/27/18	\$20,055	\$180,005
113.	9/10/18	\$5,000	\$185,240
114.	9/19/18	\$54,400	\$108,300
115.	9/19/18	\$35,635	\$38,030
116.	9/28/18	\$71,790	\$101,520
117.	10/3/18	\$59,950	
118.	10/10/18	\$102,041	\$186,030
119.	10/11/18	\$48,010	

On or about the following dates, defendant THOMPSON received drug proceeds to his Peace Through Water Foundation account at Wells Fargo Bank, account number xxxxx7024, and wire transferred those drug proceeds as directed by the drug traffickers to third-party accounts as follows:

Overt Act	Date	Amount In	Date Out	Amount Out
120.	6/29/16	\$130,000	7/1/15	\$129,000
121.	8/26/16	\$100,500 \$10,500	8/30/16	\$106,000
122.	1/19/17	\$9,800 \$9,800 \$9,800 \$9,800 \$6,000 \$37,000 (cash)	1/23/17	\$79,734 (cash withdrawal)
123.	2/8/17	\$28,700	2/9/17	\$27,980
124.	2/16/17	\$107,500	2/21/17	\$105,000
125.	8/31/17	\$2,000 (cash) \$135,000 (cashier's check)	9/1/17	\$137,000
126.	11/1/17	\$101,000 (cashier's check)	11/6/17	\$65,000 \$34,000
127.	11/14/17	\$202,000 (cashier's check)	11/17/17	\$62,507 \$80,000 \$57,493

128. On or about August 22, 2016, in the Central District of California, defendant ALDANA-MARTINEZ accepted a wire transfer of drug proceeds from an unknown sender that was in reality a DEA undercover bank account set up for the purpose of collecting and dispersing drug proceeds as directed by drug traffickers during undercover operations, in the amount of \$242,500 to his Gamar Electronics account at Bank of America, Pico Rivera, California, within the Central District of California.

129. On or about August 29, 2016, in the Central District of California, defendant ALDANA-MARTINEZ accepted a wire transfer of drug proceeds from an unknown sender that was in reality a DEA undercover bank account set up for the purpose of collecting and

1 dispersing drug proceeds as directed by drug traffickers during  
2 undercover operations, in the amount of \$44,240 to his Gamar  
3 Electronics account at Bank of America, Pico Rivera, California,  
4 within the Central District of California.

5 130. On or about August 30, 2016, in the Central District of  
6 California, defendant ALDANA-MARTINEZ sent a wire transfer of drug  
7 proceeds in the amount of \$6,350 to the account of an unrelated  
8 company, G. Technology Inc., in partial payment for an order of  
9 electronics in the name of a second unrelated company, A. Enterprise  
10 Inc.

11 131. On or about August 30, 2016, in the Central District of  
12 California, defendant ALDANA-MARTINEZ sent a wire transfer of drug  
13 proceeds in the amount of \$10,300 to the account of an unrelated  
14 company, N. Supplies Inc, in partial payment for an order in the name  
15 of a second unrelated company, A. Enterprise Inc.

16 132. On or about August 31, 2016, in the Central District of  
17 California, defendant ALDANA-MARTINEZ sent a wire transfer of drug  
18 proceeds in the amount of \$30,750 to the account of an unrelated  
19 company, M. Distributing, in partial payment for an order in the name  
20 of a company called Z.F.D.

21 133. On or about August 31, 2016, in the Central District of  
22 California, defendant ALDANA-MARTINEZ sent a wire transfer of drug  
23 proceeds in the amount of \$81,987 to the account of an unrelated  
24 company, C. Trade LLC, which wire funded a wire transfer of drug  
25 proceeds in the amount of \$27,930 to the account of a second  
26 unrelated company, M.M. Export, in partial payment for an order of  
27 cellphones by C. Trade LLC.

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1       134. On or about August 31, 2016, in the Central District of  
2 California, defendant ALDANA-MARTINEZ wire transferred drug proceeds  
3 in the amount of \$82,345 to the account of an unrelated company, M.  
4 Supply LLC, which wire funded (a) a wire transfer of drug proceeds in  
5 the amount of \$32,423.50 to a second unrelated company, U.S.T. LLC in  
6 partial payment for an order of electronics by M. Supply LLC.; (b) a  
7 wire transfer of drug proceeds in the amount of \$5,500 to a third  
8 unrelated company, B.P. International in partial payment for an order  
9 of external hard drives purchased by M. Supply LLC; and (c) a wire  
10 transfer of drug proceeds in the amount of \$14,185.84 to a fourth  
11 unrelated company, C. Sales LLC in partial payment for an order of  
12 personal care electronics by M. Supply LLC on behalf of C. Trade LLC.

13       135. On or about February 11, 2020, defendant THOMPSON wire  
14 transferred \$18,500 that had been represented to him by defendant  
15 ZILKE, who was acting at the direction of law enforcement agents, to  
16 be the proceeds of illegal drug trafficking, from defendant  
17 THOMPSON's Rural Projects Investments account at Pinnacle Bank to an  
18 undercover account at City National Bank, Los Angeles, California.

19       136. On or about March 3, 2020, defendant THOMPSON wire  
20 transferred \$6,500 that had been represented to him by defendant  
21 ZILKE, who was acting at the direction of law enforcement agents, as  
22 the proceeds of illegal drug trafficking, from defendant THOMPSON's  
23 Rural Projects Investments account at Pinnacle Bank to an undercover  
24 account at City National Bank, Los Angeles, California.

25       137. On or about March 12, 2020, defendant THOMPSON wire  
26 transferred \$15,000 that had been represented to him by defendant  
27 ZILKE, who was acting at the direction of law enforcement agents, as  
28 the proceeds of illegal drug trafficking, from defendant THOMPSON's

1 Rural Projects Investments account at Pinnacle Bank to an undercover  
2 account at City National Bank, Los Angeles, California.

3 138. On or about March 13, 2020, defendant THOMPSON wire  
4 transferred the remaining \$10,000 from the \$50,000 in official  
5 government funds that had been represented to him by defendant ZILKE,  
6 who was acting at the direction of law enforcement agents, as the  
7 proceeds of illegal drug trafficking, from defendant THOMPSON's Rural  
8 Projects Investments account at Pinnacle Bank to an undercover  
9 account at City National Bank, Los Angeles, California.

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## 1 COUNT EIGHT

2 [18 U.S.C. §§ 1960(b)(1)(A), (B), (C)]

3 [ALL DEFENDANTS]

4 Beginning on or about October 2015 and continuing through at  
5 least April 2020, in Los Angeles County, within the Central District  
6 of California, and elsewhere, defendants DANIEL SHAUN ZILKE, aka "The  
7 Englishman," JUAN RACHID DERGAL-ZULBARAN, aka "Jorge Frangie,"  
8 JEFFERY MARK THOMPSON, aka "The Cowboy," and GUSTAVO ADOLFO ALDANA-  
9 MARTINEZ knowingly conducted, controlled, managed, supervised,  
10 directed, and owned an unlicensed money transmitting business  
11 affecting interstate and foreign commerce that: (1) operated without  
12 an appropriate money transmitting license in California where such  
13 operation is punishable as a felony under state law; (2) failed to  
14 comply with the money transmitting business registration requirements  
15 under Section 5330 of Title 31, United States Code, and the  
16 regulations thereunder; and (3) involved the transportation and  
17 transmission of funds that were known to defendants to have been  
18 derived from a criminal offense and were intended to be used to  
19 promote and support unlawful activity.

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1 COUNT NINE

2 [18 U.S.C. § 1512(c)(2)]

3 [DEFENDANT ZILKE]

4 A. INTRODUCTORY ALLEGATIONS

5 At times relevant to this Indictment:

6 1. The Federal Grand Jury was a group of citizens convened by  
7 the Court within the Central District of California, to determine  
8 whether there was sufficient evidence to charge an individual with a  
9 felony federal offense.

10 2. The United States Attorney's Office ("USAO") for the  
11 Central District of California was a component of the Department of  
12 Justice, within the executive branch of the United States.

13 3. The Drug Enforcement Administration ("DEA") was an agency  
14 of the executive branch of the government of the United States.

15 4. The Federal Grand Jury, the USAO for the Central District  
16 of California, and DEA were conducting an inquiry into money  
17 laundering activities of persons, including Jeffrey Mark Thompson aka  
18 "The Cowboy" (the "Federal Grand Jury Investigation"), for which the  
19 Federal Grand Jury had issued subpoenas for bank records of the  
20 targets of the investigation and associated corporate and other  
21 business and charitable entities, in preparation for a Federal Grand  
22 Jury proceeding concerning those persons and entities.

23 5. Beginning in or about January 2019, defendant DANIEL SHAUN  
24 ZILKE, also known as "The Englishman," contacted federal  
25 investigators, offered his cooperation to expose the money laundering  
26 organization, and signed an agreement with DEA that required him to  
27 "provide truthful information at all times."

1       6. Under this agreement, defendant ZILKE provided information  
2 about the services provided to drug traffickers by the money  
3 laundering organization, the methods of laundering of drug proceeds  
4 for drug trafficking organizations, and about his coconspirators,  
5 defendants Juan Rachid Dergal-Zulbaran, Thompson, and others, known  
6 and unknown to the grand jury.

7       7. Defendant ZILKE knew of the USAO investigation in the  
8 Central District of California and the assignment of a federal  
9 prosecutor, and defendant ZILKE knew of the likelihood of a Federal  
10 Grand Jury proceeding in the Central District of California. As a  
11 cooperator, defendant ZILKE had a duty to provide truthful  
12 information and to disclose material information to federal  
13 investigators.

14       8. In early 2019, in connection with the Federal Grand Jury  
15 Investigation, DEA caused an undercover bank account to be opened at  
16 City National Bank, located and headquartered in Los Angeles,  
17 California (the "Los Angeles Bank Account").

18       9. On or about December 17, 2019, as part of the undercover  
19 Federal Grand Jury Investigation, and under the supervision of the  
20 USAO, DEA provided defendant ZILKE with \$200,000 of government funds  
21 and instructed defendant ZILKE to provide the money to Thompson, so  
22 that Thompson could launder the money through fake charitable  
23 organizations that Thompson controlled, the Peace Through Water  
24 Foundation, Rural Projects Investments, and their associated bank  
25 accounts.

1 B. DEFENDANT ZILKE CORRUPTLY OBSTRUCTED, INFLUENCED, AND IMPEDED AN  
2 OFFICIAL PROCEEDING

3 10. Beginning on or about January 2, 2020, until on or about  
4 February 12, 2020, in Los Angeles County, within the Central District  
5 of California and elsewhere, defendant DANIEL SHAUN ZILKE corruptly  
6 obstructed, influenced, and impeded an official proceeding, that is,  
7 a Federal Grand Jury Proceeding, by falsely stating that Jeffrey Mark  
8 Thompson had \$200,000 in official government funds that had been  
9 given to him by defendant ZILKE, who was then acting in his capacity  
10 as a government cooperator at the direction of federal investigative  
11 agents, when, as defendant ZILKE well knew, defendant ZILKE had  
12 stolen \$150,000 of the official government funds from Thompson, as  
13 follows:

14 a. On or about December 17, 2019, at the direction of DEA  
15 agents, defendant ZILKE delivered \$200,000 in government funds to  
16 Thompson and asked Thompson to wire transfer the funds less a  
17 commission to the Los Angeles Bank Account.

18 b. On or about January 2, 2020, unknown to the Grand  
19 Jury, the USAO for the Central District of California, or DEA,  
20 defendant ZILKE returned to Thompson's residence and stole \$150,000  
21 of the government's investigative funds.

22 c. From on or about January 2, 2020, the date defendant  
23 ZILKE stole the \$150,000, until February 12, 2020, defendant ZILKE  
24 concealed from federal investigators that Thompson no longer  
25 possessed the \$200,000 that defendant ZILKE had delivered to Thompson  
26 in December 2019, as federal investigators continued to investigate  
27 Thompson's anticipated laundering of those funds.

1                   d. From on or about January 2, 2020, the date defendant  
2 ZILKE stole the \$150,000, through February 12, 2020, defendant ZILKE  
3 recorded telephone calls between defendant ZILKE and Thompson and  
4 provided the recordings to federal investigators to create the false  
5 appearance that Thompson still possessed the \$200,000, including the  
6 \$150,000 that defendant ZILKE had stolen.

7                   e. On or about February 12, 2020, for the purpose of  
8 deceiving federal investigators, during recorded calls with those  
9 investigators, defendant ZILKE denied taking the \$150,000 of  
10 government funds from Thompson on January 2, 2020.

11                  f. On or about February 12, 2020, for the purpose of  
12 deceiving federal investigators, defendant ZILKE called Thompson on  
13 the telephone and, during a recorded call, insisted that Thompson  
14 still possessed the entire \$200,000 that defendant ZILKE delivered to  
15 Thompson in December 2019, even though defendant ZILKE knew he had  
16 stolen \$150,000 of the money on or about January 2, 2020.

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1 COUNT TEN

2 [18 U.S.C. § 1001(a)(1)]

3 [DEFENDANT ZILKE]

4 A. INTRODUCTORY ALLEGATIONS

5 1. The Introductory Allegations set forth in Count Nine,  
6 Section A of this Indictment are re-alleged and incorporated herein  
7 by reference.

8 B. SCHEME TO FALSIFY AND CONCEAL MATERIAL FACTS

9 2. From on or about January 2, 2020, to on or about February  
10 12, 2020, in Los Angeles County, within the Central District of  
11 California, in connection with and influencing and affecting a  
12 Federal Grand Jury Proceeding in the Central District of California,  
13 in matters within the jurisdiction of the judicial branch of the  
14 government of the United States, namely, the Federal Grand Jury for  
15 the Central District of California, and within the jurisdiction of  
16 the executive branch of the government of the United States, namely,  
17 the USAO for the Central District of California and DEA, defendant  
18 ZILKE knowingly and willfully falsified, concealed, and covered up by  
19 trick, scheme, and device material facts, namely, that defendant  
20 ZILKE had stolen approximately \$150,000 of government funds being  
21 used for the Federal Grand Jury Investigation and that the target of  
22 the Federal Grand Jury Investigation, Thompson, could not complete  
23 the financial money laundering transaction because Thompson no longer  
24 possessed all of the government funds.

25 C. OPERATION OF THE SCHEME TO FALSIFY AND CONCEAL MATERIAL FACTS

26 3. The scheme operated as follows:

27 a. On or about December 17, 2019, at the direction of DEA  
28 agents, defendant ZILKE delivered \$200,000 in government funds to

1 Thompson and asked Thompson to wire the funds less a commission to  
2 the Los Angeles Bank Account.

3 b. On or about January 2, 2020, unknown to the Grand  
4 Jury, the USAO for the Central District of California, or DEA,  
5 defendant ZILKE returned to Thompson's residence and stole \$150,000  
6 of the government's investigative funds.

7 c. From on or about January 2, 2020, the date defendant  
8 ZILKE stole the \$150,000, through February 12, 2020, defendant ZILKE  
9 concealed from federal investigators that Thompson no longer  
10 possessed the \$200,000 that defendant ZILKE had delivered to Thompson  
11 in December 2019, as federal investigators continued to investigate  
12 Thompson's anticipated laundering of those funds.

13 d. From on or about January 2, 2020, the date defendant  
14 ZILKE stole the \$150,000, through February 12, 2020, defendant ZILKE  
15 recorded telephone calls between defendant ZILKE and Thompson and  
16 provided the recordings to federal investigators to create the false  
17 appearance that Thompson still possessed the \$200,000, including the  
18 \$150,000 that defendant ZILKE had stolen.

19 e. On or about February 12, 2020, during recorded calls  
20 with federal investigators, and for the purpose of deceiving those  
21 federal investigators, defendant ZILKE denied taking the \$150,000 of  
22 government funds from Thompson on January 2, 2020.

23 f. On or about February 12, 2020, for the purpose of  
24 deceiving federal investigators, defendant ZILKE called Thompson on  
25 the telephone and, during a recorded call in the presence of those  
26 federal investigators, insisted that Thompson still possessed the  
27 entire \$200,000 that defendant ZILKE delivered to Thompson in

1 December 2019, even though defendant ZILKE knew he had stolen  
2 \$150,000 of the money on or about January 2, 2020.

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1 FORFEITURE ALLEGATION ONE

2 [21 U.S.C. § 853]

3 1. Pursuant to Rule 32.2(a) of the Federal Rules of Criminal  
4 Procedure, notice is hereby given that the United States of America  
5 will seek forfeiture as part of any sentence, pursuant to Title 21,  
6 United States Code, Section 853, in the event of any defendant's  
7 conviction of the offense set forth in Count One of this Indictment.

8 2. Any defendant so convicted shall forfeit to the United  
9 States of America the following:

10 (a) All right, title and interest in any and all property,  
11 real or personal, constituting or derived from, any proceeds which  
12 the defendant obtained, directly or indirectly, from such offense;

13 (b) All right, title and interest in any and all property,  
14 real or personal, used, or intended to be used, in any manner or  
15 part, to commit, or to facilitate the commission of such offense; and

16 (c) To the extent such property is not available for  
17 forfeiture, a sum of money equal to the total value of the property  
18 described in subparagraphs (a) and (b).

19 3. Pursuant to Title 21, United States Code, Section 853(p),  
20 any defendant so convicted shall forfeit substitute property if, by  
21 any act or omission of said defendant, the property described in the  
22 preceding paragraph, or any portion thereof: (a) cannot be located  
23 upon the exercise of due diligence; (b) has been transferred, sold  
24 to, or deposited with a third party; (c) has been placed beyond the  
25 jurisdiction of the court; (d) has been substantially diminished in  
26 value; or (e) has been commingled with other property that cannot be  
27 divided without difficulty.

1 FORFEITURE ALLEGATION TWO

2 [18 U.S.C. § 982]

3 1. Pursuant to Rule 32.2(a) of the Federal Rules of Criminal  
4 Procedure, notice is hereby given that the United States will seek  
5 forfeiture as part of any sentence, pursuant to Title 18, United  
6 States Code, Section 982(a)(1), in the event of any defendant's  
7 conviction of the offenses set forth in any of Counts Two through  
8 Eight of this Indictment.

9 2. Any defendant so convicted shall forfeit to the United  
10 States of America the following:

11 (a) Any property, real or personal, involved in such  
12 offense, and any property traceable to such property; and

13 (b) To the extent such property is not available for  
14 forfeiture, a sum of money equal to the total value of the property  
15 described in subparagraph (a).

16 3. Pursuant to Title 21, United States Code, Section 853(p), as  
17 incorporated by Title 18, United States Code, Section 982(b)(1), and  
18 Title 18, United States Code, Section 982(b)(2), any defendant so  
19 convicted shall forfeit substitute property, if, by any act or  
20 omission of said defendant, the property described in the preceding  
21 paragraph, or any portion thereof: (a) cannot be located upon the  
22 exercise of due diligence; (b) has been transferred, sold to, or  
23 deposited with a third party; (c) has been placed beyond the  
24 jurisdiction of the court; (d) has been substantially diminished in  
25 value; or (e) has been commingled with other property that cannot be  
26 divided without difficulty. Substitution of assets shall not be  
27 ordered, however, where the convicted defendant acted merely as an  
28 intermediary who handled but did not retain the property in the

1 course of the money laundering offense unless the defendant, in  
2 committing the offense or offenses giving rise to the forfeiture,  
3 conducted three or more separate transactions involving a total of  
4 \$100,000.00 or more in any twelve-month period.

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1 FORFEITURE ALLEGATION THREE

2 [18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c)]

3 1. Pursuant to Rule 32.2 of the Federal Rules of Criminal  
4 Procedure, notice is hereby given that the United States of America  
5 will seek forfeiture as part of any sentence, pursuant to Title 18,  
6 United States Code, Section 981(a)(1)(C) and Title 28, United States  
7 Code, Section 2461(c), in the event of the defendant's conviction of  
8 the offenses set forth in any of Counts Nine and Ten of this  
9 Indictment.

10 2. The defendant, if so convicted, shall forfeit to the United  
11 States of America the following:

12 (a) All right, title and interest in any and all property,  
13 real or personal, constituting, or derived from, any proceeds  
14 traceable to any such offense; and

15 (b) To the extent such property is not available for  
16 forfeiture, a sum of money equal to the total value of the property  
17 described in subparagraph (a).

18 3. Pursuant to Title 21, United States Code, Section 853(p),  
19 as incorporated by Title 28, United States Code, Section 2461(c), the  
20 defendant, if so convicted, shall forfeit substitute property, up to  
21 the total value of the property described in the preceding paragraph  
22 if, as the result of any act or omission of the defendant, the  
23 property described in the preceding paragraph, or any portion  
24 thereof: (a) cannot be located upon the exercise of due diligence;  
25 (b) has been transferred, sold to or deposited with a third party;  
26 (c) has been placed beyond the jurisdiction of the court; (d) has

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1 been substantially diminished in value; or (e) has been commingled  
2 with other property that cannot be divided without difficulty.

3 A TRUE BILL

4  
5 /S/  
6 Foreperson

7 E. MARTIN ESTRADA  
8 United States Attorney



9  
10 SCOTT M. GARRINGER  
11 Assistant United States Attorney  
12 Chief, Criminal Division

13 SHAWN J. NELSON  
14 Assistant United States Attorney  
15 Chief, International Narcotics,  
16 Money Laundering, and  
17 Racketeering Section

18 BENEDETTO L. BALDING  
19 Assistant United States Attorney  
20 Deputy Chief, International  
21 Narcotics, Money Laundering, and  
22 Racketeering Section

23 JULIE J. SHEMITZ  
24 Assistant United States Attorney  
25 International Narcotics, Money  
26 Laundering, and Racketeering  
27 Section

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